

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK**

BRETT CHRISTIAN, *et al.*,

*Plaintiffs,*

v.

DOMINICK L. CHIUMENTO, *et al.*,

*Defendants.*

No. 1:22-cv-695-JLS

**PLAINTIFFS' NOTICE OF MOTION FOR SUMMARY JUDGMENT**

Plaintiffs Brett Christian, Firearms Policy Coalition, Inc., and the Second Amendment Foundation respectfully move this Court to enter summary judgment under Federal Rule of Civil Procedure 56(a) in their favor, declaring unlawful and permanently enjoining Defendants from enforcing N.Y. PENAL LAW §§ 265.01-e(2)(d) and 265.01-d, with respect to places open to the public. A statement of undisputed material facts and a supporting memorandum accompanies this Motion.

Dated: March 1, 2024

Respectfully submitted,

/s/ David H. Thompson

*Attorney for Plaintiffs*

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 1, 2024, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Western District of New York by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ David H. Thompson

David H. Thompson